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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JOHN FRATUS,	No. 2:16-cv-0076-KJM-EFB P
12	Plaintiff,	
13	V.	<u>ORDER</u>
14	MAZYCK, et al.,	
15	Defendants.	
16		
17	Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief	
18	under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided	
19	by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On February 7, 2017, the magistrate judge filed findings and recommendations, which	
21	were served on all parties and which contained notice to all parties that any objections to the	
22	findings and recommendations were to be filed within fourteen days. Neither party has filed	
23	objections to the findings and recommendations.	
24	The court presumes that any findings of fact are correct. See Orand v. United States, 602	
25	F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.	
26	See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed	
27	the file, the court finds the findings and recommendations to be supported by the record and by	
28	the proper analysis.	
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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. The findings and recommendations filed February 7, 2017, are adopted in full; and	
3	2. Defendants' motion to dismiss (ECF No. 16) is DENIED.	
4	DATED: March 10, 2017	
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6	Amile	
7	UNITED STATES DISTRICT JUDGE	
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